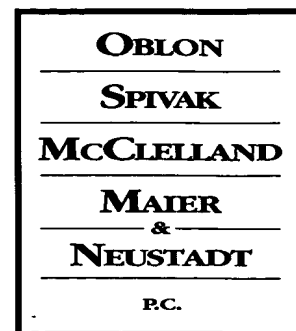




Docket No.: 214595US0PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/926,256
Applicants: Naoyuki FUKUCHI, et al.
Filing Date: October 2, 2001
For: METHOD FOR PRODUCING SUBUNIT PEPTIDE
ORIGINATING FROM OLIGOMERIC PROTEIN
Group Art Unit: 1653
Examiner: Desai, A.U.

SIR:

Attached hereto for filing are the following papers:

**Response to Restriction Requirement
International Preliminary Examination Report**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter
Registration No. 32,884

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

Vincent K. Shier, Ph.D.
Registration No. 50,552

Docket No.: 214595US0PCT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

NAOYUKI FUKUCHI ET AL

: EXAMINER: DESAI, A. U.

SERIAL NO.: 09/926,256

:

FILED: OCTOBER 2, 2001

: GROUP ART UNIT: 1653

FOR: METHOD FOR PRODUCING SUBUNIT PEPTIDE ORIGINATING FROM
OLIGOMERIC PROTEIN

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313-1450

SIR:

Responsive to the Official Action dated September 16, 2005, Applicants elect, with
traverse, Group I (Claims 1-10) for further prosecution.

REMARKS

The Office has required restriction in the present application as follows:

Group I: Claims 1-10, drawn to a method of producing a subunit peptide; and

Group II: Claims 11-15, drawn to a subunit peptide.

In addition, the Examiner is requiring election of a single disclosed species for the
elected group.

Applicants elect, with traverse, Group I (Claims 1-10) for further prosecution.

At the outset, Applicants note that the Examiner has not made a proper case under the
PCT rules to support the lack of unity. In particular, Applicants note that the Examiner has